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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re the application of:** Rainer Endermann et al.  
**Serial No.:** 10/775,888  
**Filed:** February 10, 2004  
**For:** TREATMENT OF BACTERIAL DISEASES OF THE  
RESPIRATORY ORGANS  
**Attorney Docket No.:** LeA 36 499 [81165(303989)]

**Confirmation No.:** 1423

**Group Art Unit:** 1617

**Examiner:** Shengjun Wang

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATION OF ELECTRONIC FILING UNDER 37 C.F.R. §1.8**

Date of Electronic Submission: January 24, 2009

I hereby certify that this correspondence is being transmitted via the U.S.P.T.O.'s Patent Electronic Business Center in accordance with 37 C.F.R. § 1.6(a)(4) on the date indicated above.

/Gabriel J. McCool/  
Signature of Person Transmitting Paper

**RESPONSE TO FINAL OFFICE ACTION PURSUANT TO 37 C.F.R § 1.116**

Dear Sir:

Applicant submits this paper in response to the final Office Action mailed on July 24, 2008, which set a three-month shortened statutory period for reply ending on October 24, 2008. Pursuant to 37 C.F.R. § 1.136, a petition for a three-month extension of time is requested and submitted herewith by separate petition, which requests a time extension up to and including January 24, 2009. Applicants authorize the Commissioner to charge any additional fees occasioned by this paper, or credit any overpayment of such fees, to Deposit Account No. 04-1105.

**Amendments to the claims** are reflected beginning at page 2.

**Remarks/arguments** begin on page 6 of this paper.